

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2634 of 2016

Jainul Latif, S/o. Shri Jiyaull Latif, Aged About 22 Years, R/o. Near Madarsa, Baijnath Para, Police Station City Kotwali, District Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station G.R.P. Bhilai, District Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Siddharth Rathod, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Cr. Case No.11600/2015 and Crime No.121/49 of 2015, registered at G.R.P. Bhilai, District Durg (C.G.) for the offence punishable under Section 380 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 07.05.2015 the complainant Smt. Madhumita Mitra while was traveling in the Puri-Jodhpur Train, her purse was stolen, which was containing mobile and other documents. Subsequently, this applicant was arrested and on 05.11.2015 from his possession, the mobile was seized.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not stolen the property and he has purchased the mobile which was seized. He further submits that the charge sheet in this case has been filed

and the applicant is in jail since 05.11.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and the applicant is in jail since 05.11.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge